IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.1850 OF 2003
IN
SUIT NO.1813 OF 2000

M/s.Weizmann Ltd. ..Plaintiff.

V/s.

Mrs.Anita Sukhdev Chauhan & ors...Defendants.

Ms.Neeta Singh i/b Mahesh Menon for plaintiff.

CORAM: A.M.KHANWILKAR,J

DATE : SEPTEMBER 19, 2005.

P.C. :

1. Office remark indicates that affidavit of service is not filed. None appears for the applicant. Dismissed for non-prosecution.

2. Later on, counsel for the plaintiff mentioned the matter and submits that at the relevant time, she could not attend the matter, as she was busy in some other court. She further submits that she has informed the counsel appearing for defendants that she would be making request to restore the matter before this court and that the counsel for the defendants has no objection if the chamber summons is restored to its file. Unconditional apology tendered is accepted. Accordingly, order dismissing the

chamber summons is recalled and the chamber summons is restored to file to its original number taken up for hearing forthwith.

3. Defendants have been duly served. None appears for the defendants. Counsel for plaintiff however, states that Mr. Choudhary, counsel appearing for defendant Nos.1, 2 and 3 was present in the Court till now. She further states that Mr.Choudhary informed that his client has no objection for allowing chamber summons being formal amendment, which is in the nature of correcting clerical errors. In the circumstances, chamber summons is made absolute in terms of prayer clause (a) and (b). Amendment to be carried out within four weeks. No order as to costs.